



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

MILLER, DAVID

Examiner: HUBER, P.

Serial No: 09/696,376

Art Unit: 2651

Filed: 25 October 2000

Paper No: 7

For: PROGRAMMABLE SELF-OPERATING
COMPACT DISK DUPLICATION SYSTEM

Atty Dkt.: 13240(A)

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MAY 20 2002

Technology Center 2600

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Commissioner of Patents
and Trademarks
Washington, D.C. 20231

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail" in an envelope addressed to: Box CPA, Commissioner of Patents and Trademarks, Washington, D.C. 20231, on:

May 16, 2002
By Sallie Whitsett

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97

This information disclosure statement filed under 37 C.F.R. §1.97 supplements the statement filed August 16, 2001. Subsequent to the submission of the fax notification attached as Exhibit 1 in the disclosure statement of August 16, 2001 the former competitor and now licensee of Applicant provided affidavits of two former employees of Mitsui Advanced Media, Inc., the U.S seller of the ALW-501 Trans/Corder.

The affiants claim that an ALW-501 CD Autorecorder was offered for sale by MTC America, Inc. prior to March 6, 1996. The affiants also claim that sales units of the ALW-501 CD Autorecorder were received by MTC America, Inc. by

March 5, 1996. One of the affiants claims that Mitsui Chemicals Corporation displayed the CD Autorecorder in February 1996 at the CEBIT Trade Show in Hannover, Germany.

The affiant claiming that the CD Autorecorder was shown in February 1996 at the CEBIT Hannover Trade Show also claimed that MTC America, Inc. received three ALW-501 CD Autorecorders from Nistech Corporation on March 5, 1996.

Because of the repeated discrepancies in the dates of the first publication, originally alleged to have been in 1995, and the incorrect date of the CEBIT Trade Show in Hannover, Germany which in fact occurred from March 14 to March 20, 1996, any claim to the date of receipt of shipment of ALW-501 CD's lacks credibility and is subject to challenge. Furthermore, the model identification and on-sale dates are contradicted by the press release or product announcement of MTC America on March 28, 1996 as set forth in Exhibit 2 of the August 16, 2001 Disclosure Statement.

Other than the questionable affidavits of the two former employees, there is no evidence substantiating that advertising brochures were released in the United States prior to March 13, 1996, or that in fact ALW-501 CD Autorecorders were received, unpacked and viewed prior to the one year grace date of March 13, 1996, a year before the filing of Applicant's parent application Serial No. 09/152,815, filed March 13, 1997, now U.S. Patent No. 6,141,298, issued October 31, 2000.

A copy of the parent application on which Serial No. 09/152,815 issued on October 31, 2000 as U.S. Patent No. 6,141,298 entitled "Programmable Self-Operating Compact Disk Duplication System" is submitted herewith as Exhibit 4, to substantiate the substantial identical content of the parent and child

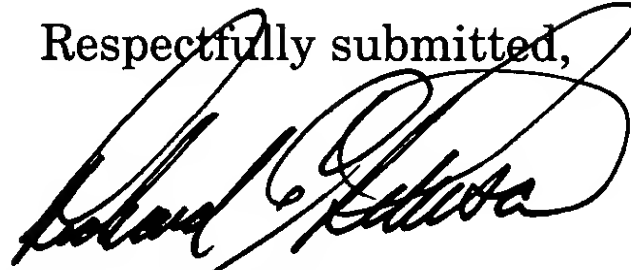
applications.

A check in the amount of \$180.00 accompanies this disclosure statement.

Dated:

May 10, 2002

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard Esty Peterson", written over a horizontal line.

RICHARD ESTY PETERSON
Registration # 26,495